



Investigatory Powers Act 2016

2016 CHAPTER 25

PART 5

EQUIPMENT INTERFERENCE

Approval of warrants by Judicial Commissioners

109 Approval of warrants issued in urgent cases

- (1) This section applies where—
 - (a) a warrant under this Part is issued without the approval of a Judicial Commissioner, and
 - (b) the person who issued the warrant considered that there was an urgent need to issue it.
- (2) The person who issued the warrant must inform a Judicial Commissioner that it has been issued.
- (3) The Judicial Commissioner must, before the end of the relevant period—
 - (a) decide whether to approve the decision to issue the warrant, and
 - (b) notify the person of the Judicial Commissioner's decision.

“The relevant period” means the period ending with the third working day after the day on which the warrant was issued.
- (4) If a Judicial Commissioner refuses to approve the decision to issue a warrant, the warrant—
 - (a) ceases to have effect (unless already cancelled), and
 - (b) may not be renewed,and section 108(5) does not apply in relation to the refusal to approve the decision.
- (5) Section 110 contains further provision about what happens if a Judicial Commissioner refuses to approve the decision to issue a warrant.